

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TIMOTHY ANDREW MCCAFFREY, :
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Plaintiff, :
: 14-CV-493 (VSB)
- against - :
:
GATEKEEPER USA, INC., et al., :
:
Defendants. :
:
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ORDER

VERNON S. BRODERICK, United States District Judge:

A jury trial in this matter is scheduled to begin on September 19, 2022 at 10:00 a.m.

(Doc. 312.) The parties' joint pretrial order and motions in limine were due August 5, 2022.

(*Id.*) Before me are the following motions:

- Pro se Defendants' motion to vacate the judgment, (Doc. 335);
- Pro se Plaintiff's request for a one-week extension of the deadline for the submission of the parties' joint pretrial order, (Doc. 336);
- Pro se Defendants' "incomplete draft of the joint pre-trial order" and request for a 12-day extension of the deadline for submission of a complete draft, (Doc. 340);
- Pro se Defendants' motions in limine asking me to (1) "order Plaintiff to respond to Defendants First Set of Interrogatories To Plaintiff," and (2) order "full disclosure of Plaintiff's attorney, firm, and consulting history, as well as details as to the full extent of documentation and other legal advice that was given to plaintiff to date," (Doc. 338);

- Pro se Plaintiff's motions in limine asking me to (1) "enter judgment against James W. Wishart, as the alter ego of Gatekeeper USA Inc.," (2) "allow Plaintiff's theory of alter ego to be presented to and determined by the jury at trial," (3) "allow limited pre-trial and judgment discovery" as to Gatekeeper's finances, and (4) preclude any evidence not previously produced and preclude "invective, innuendo, and argumentation disguised as testimony as to facts," (Doc. 332);
- A pro se motion to intervene as an interested party and motion to dismiss filed by non-party James Wishart, (Doc. 339).

Separately, since I referred this case to Magistrate Judge Robert W. Lehrburger for settlement discussions, (Doc. 327), I have also been monitoring the parties' progress on that front, (*see* Docs. 328, 329, 330, 331, 333, 334). It is hereby

ORDERED that the parties appear for a status conference on August 11, 2022 at 3:00 p.m. The conference will be held via telephone, using the dial-in 888-363-4749 and the access code 2682448. The parties should be prepared to discuss whether they will be ready to proceed to trial on September 19, 2022. Furthermore, to the extent that the parties have not decided whether to have a jury or non-jury trial, (*see* Doc. 340-1), each party should be prepared to state their position, and any party seeking a bench trial should be prepared to provide me legal authority in support of their preference.

IT IS FURTHER ORDERED that the parties' request for an extension of the deadline for the submission of the parties' joint pretrial order is GRANTED. The parties shall file a joint pretrial order on or before August 12, 2022 pursuant to Rule 6 of my Individual Rules & Practices in Civil Cases. The parties must set out their differing positions within the same joint pretrial order. The joint pretrial order must be signed by Plaintiff, Defendant A. John

Leontakianakos, and Defendant John Seetoo. Going forward, the parties will be expected to abide by Rule 1(G) of my Individual Rules & Practices in Civil Cases concerning requests for adjournments or extensions of time, which requires, among other things, that any extension request be made at least 48 hours in advance.

SO ORDERED.

Dated: August 8, 2022
New York, New York



Vernon S. Broderick
United States District Judge